IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 527 of 2005

Between:

Shaik Bilal Omer Amoodi, S/o.Shaik Omer bin Salam Amoodi,
R/o.Hyderabad.

..... PETITIONER

AND

1 The Additional Commissioner of police, Hyderabad.
2 The Assistant Commissioner of police, South Zone, Hyderabad.
3 The Inspector of police, Chandrayanagutta police Station, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in continuing the rowdy sheet pending against the petitioner in chandrayanagutta police station, Hyderabad, even after acquittal of the cases as highly arbitrary, illegal and violative of Art. 19 and 21 of the Constitution of India, consequently set aside the same and pass such other orders.

Counsel for the Petitioner: MR.K.SURESHREDDY

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following ORDER:

A rowdy sheet was opened against the petitioner in the year 2000, on account of his involvement in several criminal activities as well as cases before various Courts. The petitioner contends that he was falsely implicated in several cases and all of them ended in acquittal. He contends that whatever may have been the justification in opening the rowdy sheet in the year 2000, there does not exist any basis to continue the same at present.

The respondents filed a counter-affidavit. The details of cases in which the petitioner figured as accused are furnished. It is stated that no cases, as such, are pending against the petitioner, but there are complaints that he is involved in several criminal activities and in that view of the matter, it is necessary to continue the rowdy sheet, to have a watchful eye on the petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Opening of a rowdy sheet has its own impact on the dignity and liberty of a citizen. It can be done only when there exists substantial basis. In several cases, this Court held that mere pendency of one case does not provide sufficient justification for opening or continuance of rowdy sheet. When undisputedly, there does not exist any case against the petitioner, as of now, the continuance of rowdy sheet cannot be sustained.

In that view of the matter, the writ petition is allowed and the respondents are directed to discontinue the rowdy sheet against the petitioner. It is, however, made clear that in case the petitioner resorts to any acts of violence or other crimes, and any cases are registered against him, it shall be open to the respondents to open a rowdy sheet against him. There shall be no order as to costs.

14.02.2005

ksld

To

1 The Additional Commissioner of police, Hyderabad.
2 The Assistant Commissioner of police, South Zone, Hyderabad.
3 The Inspector of police, Chandrayanagutta police Station, Hyderabad.

4 Two C.Cs. to the Government Pleader for Home, High Court of A.P., Hyderabad. (OUT).

5 Two C.D. Copies.